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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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The Paction  
W. J. Smith  
Ante of  
4/24/02

In Re Application of: Chen, et al.

Serial No.: 09/479,483

Filing Date: January 10, 2000

For: **FABRICATION METHOD FOR A  
MULTI-LAYERED THIN FILM  
PROTECTIVE LAYER**

Examiner: G. Fourson III

Docket No.: 252103-4570

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231, on October 24, 2001.

*Handwritten signature:* Hu Chin Barnhill

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### AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The Office Action mailed September 25, 2001 has been carefully considered. In response thereto, please enter the following amendments and consider the following remarks.

#### In The Claims

Please cancel claims 6-17, without prejudice or disclaimer.

#### REMARKS

The Office Action mailed September 25, 2001, issued a restriction requirement, alleging that the claims of the above-referenced patent application are directed to two distinct inventions.

Specifically, the Office Action allege that claims 1-5 (Claim Group I) were directed to a first invention, while claims 6-17 (Claim Group II) were directed to a second distinct invention. In response, Applicants have canceled claims 6-17 without prejudice or disclaimer, and hereby elect to continue prosecution in this application on Claim Group I (claims 1-5).

Applicants have canceled claims 6-17 without prejudice or disclaimer, and intend to file a divisional application to continue the prosecution of those claims.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is deemed payable, you are hereby authorized to charge our Deposit Account No. 20-0778.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Daniel R. McClure", is written over a horizontal line.

Daniel R. McClure  
Registration No. 38,962

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